

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:06-cr-11
vs.)	
)	
CALVIN HAVNER)	COLLIER/CARTER

REPORT AND RECOMMENDATION

An April 18, 2013, letter from C.R. Nicklin, Warden of the Federal Bureau of Prisons in Chicago, IL and a Forensic Report of defendant were received by the undersigned magistrate judge. It is the opinion of the examiner that defendant does not suffer from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense, and that defendant did not suffer from a severe mental disease or defect that rendered him unable to appreciate the nature and quality or the wrongfulness of his acts.

At a hearing on May 14, 2013, defendant orally waived any further proceedings related to his forensic report. The Court therefore RECOMMENDS on the basis of defendant's oral waiver and the findings of the forensic report that defendant be found competent to stand trial.¹

S /William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE

¹Any objections to this Report and Recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 59(b)(2) of the Federal Rules of Criminal Procedure. Failure to file objections within the time specified waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 88 L.Ed.2d 435, 106 S.Ct. 466 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive or general. *Mira v. Marshall*, 806 F.2d 636 (6th Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Federation of Teachers*, 829 F.2d 1370 (6th Cir. 1987).